

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

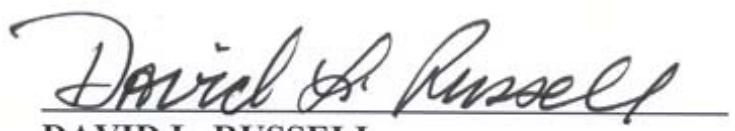
GERALD L. COTTEN,)
Petitioner,)
vs.)
RON WARD,)
Respondent.)
Case No. CIV-05-392-R

ORDER

This matter is before the Court for review of the Report and Recommendation entered by United States Magistrate Judge Valerie K. Couch on July 26, 2005, which recommended that the Petitioner's petition for writ of habeas corpus be denied, and that the Petitioner's First Amendment claim challenging the conditions of his confinement be dismissed. The Report and Recommendation advised the parties of their right to object thereto, and further advised the parties that a failure to file a timely objection would waive their right to appellate review. The Court has previously granted the Petitioner an extension of time until September 5, 2005 in which to file an objection.

The Court's files and electronic records indicate that the parties have filed no objection to the Report and Recommendation within the initial or extended time period. Accordingly, the Report and Recommendation is hereby ADOPTED in full. The Petitioner's petition for writ of habeas corpus is hereby DENIED, and the Petitioner's First Amendment claim challenging the conditions of his confinement is hereby DISMISSED without prejudice, for the reasons set forth in the Report and Recommendation.

IT IS SO ORDERED this 9th day of September, 2005.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE